

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

United States of America

V.

Eugene James, Jr.

Case No: 7:04-CR-120-2FL

USM No: 21663-056

Date of Original Judgment: September 20, 2005

Date of Previous Amended Judgment:

(Use Date of Last Amended Judgment if Any)

Sherri R. Alsbaugh

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(1)(B)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(1)(B) for a modification of an imposed term of imprisonment to the extent otherwise expressly permitted by statute and as provided by Section 404 of the First Step Act of 2018, and having considered such motion, and taking into account the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of 165 months **is reduced to** 123 months on Count 1.

(Complete Parts I and II of Page 2 when motion is granted)

Count 6 remains 60 months, consecutive, producing a total sentence of 183 months. The term of supervised release in Count 1 is reduced to 4 years, concurrent with the 5-year term in Count 6. A memorandum opinion memorializing the court's reasoning for this decision will follow.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

Except as otherwise provided, all provisions of the judgment(s) dated September 20, 2005, shall remain in effect. **IT IS SO ORDERED.**

Order Date: 6/5/2019

Josie V. Drayton
Judge's signature

Effective Date: _____
(if different from order date)

Louise W. Flanagan U.S. District Judge
Printed name and title